### IN THE UNITED STATES DISTRICT COURT

### FOR THE EASTERN DISTRICT OF TEXAS

### BEAUMONT DIVISION

ANTOINE SHOCKLEY	§	
VS.	§	CIVIL ACTION NO. 1:07ev904
JOHN FOX, ET AL.	<b>§</b>	

# MEMORANDUM ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Antoine Shockley, an inmate formerly at the Federal Correctional Complex in Beaumont, Texas, proceeding *pro se*, brought the above-styled lawsuit.

The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends that the defendants' motion for summary judgment and motion to dismiss (docket entry no. 44) be granted.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record and the pleadings.

No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

## ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. It is therefore

ORDERED that the defendants' motion for summary judgment and motion to dismiss is GRANTED. A final judgment will be entered in accordance with this memorandum. So ORDERED and SIGNED this 28 day of September, 2010.

Ron Clark, United States District Judge